

Attachment A

**AN ORDINANCE TO AMEND PROVISIONS OF THE UNIFIED DEVELOPMENT ORDINANCE FOR
FARMERS' MARKETS AND COMMERCIAL CROP PRODUCTION
(TC1200005)**

PART 1

[Revise existing standards and add new standards and definitions associated with farmers' markets and commercial crop production]

Sec. 5.1 Use Table

[Paragraphs within this section, but not listed, remain unchanged]

Paragraph 5.1.2 Use Table

[Portions of the table not included remain unchanged]

		RESIDENTIAL						NONRESIDENTIAL						PLANNED					DESIGN					
USE CATEGORY		SPECIFIC USE		RR	RS	RS-M	RU	RU-M	RC	CI	CN	OI	CG	SRP	IL	I	PDR	UC	CC	IP	MU	DD	CD	NOTES:
AGRICULTURAL USES (City Only)																								
Agriculture	All agriculture, except as listed below	P	L																					5.3.1A
	Commercial crop production	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	5.3.1A
	Forestry	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L		L	5.3.1B
PUBLIC AND CIVIC USES																								
Parks and Open Areas	All parks and open areas, except as listed below	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	‡L	‡L	‡L	‡L	‡L	L	L	5.3.3H
	Cemeteries, mausoleums, columbaria, memorial gardens	P	P	P	P	P					P	P		P			‡		‡	‡	‡	L	L	5.3.3B
	Community garden	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	5.3.3H.3

Sec. 5.2 Use Categories

[Paragraphs within this section, but not listed, remain unchanged]

Paragraph 5.2.4 Public and Civic Use Categories

F. Parks and Open Space

Characteristics: Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, or community gardens, and having few structures.		
Principal Uses	Accessory Uses	Uses Not included
Botanical garden, nature preserve, recreational trail Cemetery, columbaria, mausoleum, memorial park <u>Community garden</u> Game preserve, wildlife management area, refuge, wild animal sanctuary, water conservation area Park Playground Reservoir, control structure, drainage well, water supply water well Zoo	Campground (public park only) Concessions Dock, pier or wharf (noncommercial) Indoor or outdoor recreation facility (public) Maintenance facility Play equipment Research or similar lab facilities Single residential unit for caretaker or security purposes Swimming pool, tennis court, ballfield (public park only)	Campground, private (see Outdoor Recreation) Crematorium (see Light Industrial Service) Firing Ranges (see Indoor or Outdoor Recreation) Golf course, country club (see Outdoor Recreation) Golf driving range, miniature golf facility (see Indoor Recreation) Membership club, lodge (see Indoor Recreation) Park maintained by residents (see Community Service) Water park (see Outdoor Recreation) Water tower, tank, standpipe (see Utilities)

Sec. 5.3 Limited Use Standards

[Paragraphs within this section, but not listed, remain unchanged]

Paragraph 5.3.1 Agricultural Use Standards

A. Agricultural Uses (City Only)

Agricultural uses in the City shall be permitted in accordance with the use table in Sec. 5.1, Use Table, subject to the following standards:

1. ~~In the RS Districts, All~~ agricultural uses, ~~unless otherwise indicated in Sec. 5.1, Use Table~~, shall only be permitted in the RS-20 District.
2. Commercial crop production shall be subject to the following:
 - a. On-site sales are allowed as follows:
 - (1) In residential zoning districts, on-site sales are allowed with approval of a minor special use permit pursuant to Sec. 3.9, Special Use Permit.
 - (2) On-site sales are allowed by right in all other districts.
 - (3) Parking:
 - (a) When no permanent structures are proposed, a minimum of two parking spaces are required.
 - (b) When permanent structures are proposed, parking in accordance with the retail sales and service parking rate in paragraph 10.3.1, Required Motorized Vehicle and Bicycle Parking, shall be provided, with a minimum of two spaces required.

- b. Composting shall be done within enclosed containers.
- c. All storage of compost, mulch, soil, and other materials shall be done within enclosed structures.
- d. Sites shall be designed and maintained to prevent fertilizer, compost, soils, and any other materials from spilling and/or draining onto adjacent property, streams, and public or private stormwater collection systems.
- e. Cultivated areas shall not encroach onto adjacent property.

Paragraph 5.3.3H Parks and Open Space

- 3. Community gardens are allowed subject to the following:
 - a. Greenhouses and storage sheds shall be the only allowed structures.
 - (1) Hoop houses shall not be considered structures.
 - (2) Portable on-site storage units shall not be allowed.
 - (3) Structures shall be located on the rear half of the property, maintain side yard requirements of the zoning district, and be no closer than five feet to the rear property line.
 - b. Sites shall be designed and maintained to prevent fertilizer, compost, soils, and any other materials from spilling and/or draining onto adjacent property, streams, and public or private stormwater collection systems.
 - c. Cultivated areas shall not encroach onto adjacent property.
 - d. No on-site sales are permitted.
 - e. No parking is required.
 - f. One sign shall be allowed.
 - (1) No sign permit is required.
 - (2) Signs shall not be illuminated.
 - (3) The maximum sign area shall be 16 square feet.

Sec. 5.5 Temporary Uses

[Paragraphs within this section, but not listed, remain unchanged]

Paragraph 5.5.2 Specific Temporary Uses

F. Farmers' Markets

Unless permitted as a primary use within a zoning district, a farmers' market can operate with a temporary use permit as follows:

- 1. Unless prohibited within the committed elements of a development plan, farmers' markets are allowed within any non-residential zoning district, and within residential zoning districts on property used as an educational facility, place of worship, park, community service facility, or government facility.
- 2. Temporary use permits are valid for one year and may be renewed on a yearly basis by providing the same documentation that demonstrates compliance with Ordinance standards as done with the original issuance.
- 3. Property owner acknowledgment shall be provided.

4. In addition to the requirements of Sec. 3.12, Temporary Use Permit, the following shall be required:

- a. On-site presence of a market manager during all hours of operation.
- b. All vendors shall be producers, as defined in Sec. 16.3, Defined Terms.
- c. An established set of operating rules addressing the governance structure of the market, hours of operation, maintenance, security, and appointment of a market manager.
- d. Provisions for recycling and waste removal. All recycling and waste shall be removed from the premises by the termination of tear-down;
- e. Hours and days of operation:
 - (1) Hours of operation shall be allowed between 8 a.m. and 9 p.m. but shall not exceed five hours per day. One hour before and one hour after the hours of operation are permitted for set-up and tear-down.
 - (2) A market shall not operate more than two days per week.
 - (3) An additional day per week or two additional hours per day are permitted three times a year to accommodate holidays or special events.
- f. Signs:
 - (1) No sign permit is required.
 - (2) One sign per street frontage is allowed.
 - (3) The maximum sign area per sign is 24 square feet.
 - (4) Signs shall be set-up only during the hours between the start of set-up and the end of tear-down.
 - (5) Sec. 11.3, Prohibited Signs, shall apply.

5. Parking

- a. During hours of operation, a minimum of one parking space per booth is required. If the zoning district has no minimum parking requirement, then no minimum parking shall apply.
 - (1) Except as allowed via off-site parking below, all parking shall be on-site. Required parking spaces of the host property shall be permitted to count towards required market parking so long as a document signed by the property owner and market manager demonstrates that there will be no parking demand associated with the use of the host property for the same parking spaces during the hours of operation of the farmers' market.
 - (2) Off-site parking up to five hundred (500) feet away, measured from property line of the parking area to the property line of the market site, can satisfy parking requirements subject to the following:

- (a) Such parking areas shall be under the same control (by ownership or lease) as the host property or farmers' market. Evidence shall be provided through a copy of the deed or lease agreement.
- (b) A pedestrian-safe route exists, consisting of sidewalks, traffic-controlled crossings of right-of-way, and no crossing of freeways or major thoroughfares.
- (c) All commercial vehicles, or vehicles necessary for the operation of the market, shall remain on-site during market hours.

F. G. Manufactured Homes [text remains unchanged]

G. H. Mobile Communication Towers [text remains unchanged]

H. I. Outdoor Sales [text remains unchanged]

I. J. Portable On-Site Storage

1. General

- c. Except as authorized under Sec. paragraph I. J. 1.b above, a portable on-site storage unit shall require a temporary use permit under Sec. 3.12, Temporary Use Permit, if it is located on a residential property for more than 30 days.

2. Location

a. Single-family Residences

Except as authorized under Sec. paragraph I. J. 1.b above, a portable on-site storage unit for a single-family residence shall be located in the driveway or in the side or rear yard at least 5-five feet from any property line.

b. All Other Types of Residences

Except as authorized under Sec. paragraph I. J. 1.b above, a portable on-site storage unit for any residential housing type other than a single-family residence shall be located in an on-site vehicular use area and shall not obstruct any drive aisle or block any required parking space.

- c. Except as authorized under Sec. paragraph I. J. 1.b above, a portable on-site storage unit shall require a temporary use permit under Sec. 3.12, Temporary Use Permit, if it is located on a residential property for more than 30 days.

J. K. Public Facilities [text remains unchanged]

K. L. Real Estate Sales Offices and Model Homes [text remains unchanged]

L. M. Special Events [text remains unchanged]

M. N. Temporary Structures on Nonresidential Development or Residential Development with at least 50 Units [text remains unchanged]

N. O. Tents [text remains unchanged]

Sec. 16.3 Defined Terms

Agricultural Uses: Land used as pasture or in the commercial production of crops, forestry, horticultural products, fish hatcheries or aquaculture, and ~~Also for the purposes of this Ordinance,~~ the keeping of livestock for commercial or noncommercial purposes ~~is defined as an agricultural use.~~ Also included in this definition of agricultural uses are agricultural accessory buildings, buildings and sales of farm products grown or raised on the premises. This definition does not include any use conducted pursuant to a valid permit issued under Sec. 3.23, Limited Agriculture Permit, community gardens, apiculture, the commercial slaughtering of animals for marketing, and farm tenant dwellings.

Community garden: Any land where fruits, vegetables, and other plants are grown for personal or group use, consumption, donation, or off-site sale, and cultivated by unpaid individuals or by a non-profit organization.

Crop: Cultivated plants or agricultural produce, such as grain, vegetables, or fruit.

Farmers' Market: A market open to the public where all products sold are farm product or value-added farm product, and where the booths are operated by producers, or employees or agents of producers.

Farm Products: Fruits, vegetables, mushrooms, herbs, grains, legumes, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat and milk), and seafood.

Livestock: Livestock includes but is not limited to poultry and hooved animals such as cattle, horses, goats, sheep and swine; however, swine commonly referred to as Miniature, Vietnamese or Oriental Pot-Bellied pigs (*Sus scroda vittatus*) shall not be considered livestock if the animals are no more than 18 inches in height, ~~and the owner has proof of registry with the International Potbellied Pig Registry (IPPR), and no more than two are kept at any household.~~ No more than two such Potbellied Pigs may be kept at any household to qualify for this definition. ~~Also included in this definition of agricultural uses are agricultural accessory buildings, and sales of agricultural products grown or raised on the premises. Not included in this definition are any use conducted pursuant to a valid permit issued under Sec. 3.23, Limited Agriculture Permit, apiculture, the commercial slaughtering of animals for marketing, and farm tenant dwellings~~

Producer: A person or entity that (a) raises or produces farm products on land that the person or entity farms or owns, rents, or leases; or (b) creates value-added farm products.

Value-added Farm Product: Any product processed by a producer from a farm product, such as but not limited to, baked goods, jams, jellies, canned vegetables, dried fruit, syrups, salsa, salad dressings, flours, coffee, smoked or canned meat or fish, sausages, yogurt, cheese, or prepared foods.

PART 2

That the Unified Development Ordinance shall be renumbered as necessary to accommodate these changes and clarifications.

PART 3

That this amendment of the Unified Development Ordinance shall become effective upon adoption.